

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-8 (canceled)

Claim 9 (currently amended): An aberration state detection apparatus comprising:
a light sending system ~~for focusing~~ configured to focus light from a light source onto a recording surface of an information medium, wherein an optical aberration is given to said light;

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a detection optical system ~~for detecting~~ configured to detect light from said information medium; and ~~means for detecting~~

a detector configured to detect a state of occurrence of ~~wavefront aberration of the optical aberration of said~~ light, focused on the recording surface of said information medium by said light sending system, from a detection result obtained by said detection optical system.

Claims 10-12 (canceled)

Claim 13 (new): The apparatus of claim 9; further comprising:
an optical element configured to generate a positive order light beam and a negative order light beam from the light from said light source,
wherein the detector detects the state of occurrence of the optical aberration using the positive order and negative order light beams.

Claim 14 (new): The apparatus of claim 13, wherein said optical element includes a hologram element configured to give the positive order and negative order light beams the optical aberration such that the positive order and negative order light beams form focused spots having optical aberrations with opposite polarities.

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